

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By **CHAIRMAN MARK E. NOENNIG**, on January 25, 2005
at 3:00 P.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Mark E. Noennig, Chairman (R)
Rep. Hal Jacobson, Vice Chairman (D)
Rep. Wayne Stahl, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Debby Barrett (R)
Rep. Mary Caferro (D)
Rep. Margaret H. Campbell (D)
Rep. Sue Dickenson (D)
Rep. Emelie Eaton (D)
Rep. Christopher Harris (D)
Rep. Gordon R. Hendrick (R)
Rep. Teresa K. Henry (D)
Rep. Mike Jopek (D)
Rep. Gary MacLaren (R)
Rep. Rick Maedje (R)
Rep. Dave McAlpin (D)
Rep. Tom McGillvray (R)
Rep. Bernie Olson (R)

Members Excused: None.

Members Absent: None.

Staff Present: Susan Fox, Legislative Branch
Kyanne Kelly, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 247, 1/18/2005; HB 330,
1/18/2005; HB 233, 1/18/2005
Executive Action: HB 133

HEARING ON HB 247

Opening Statement by Sponsor:

REP. JOHN (JACK) ROSS (R), HD 60, opened the hearing on HB 247,
Revise laws governing county park districts
00:01:01

Proponents' Testimony:

00:05:16 Beverly Hall, Rancher in Stillwater County
[EXHIBIT\(loh19a01\)](#)
[EXHIBIT\(loh19a02\)](#)
[EXHIBIT\(loh19a03\)](#)
[EXHIBIT\(loh19a04\)](#)
00:12:56 Gordon Morris, Montana Association of Counties
[EXHIBIT\(loh19a05\)](#)
00:14:22 Ron Ferster, Stillwater County Rancher
[EXHIBIT\(loh19a06\)](#)
[EXHIBIT\(loh19a07\)](#)

Opponents' Testimony:

00:17:38 Mike Reynolds, Self
00:20:43 Larry Jahn, Chairman of Park District
[EXHIBIT\(loh19a08\)](#)
00:23:44 Ann Sheehy Yegen, Attorney for Park District
[EXHIBIT\(loh19a09\)](#)

Informational Testimony:

00:33:52 Michael Harris, Gallatin County Commissioners

Questions from Committee Members and Responses:

00:35:16

Closing by Sponsor:

00:46:54

HEARING ON HB 330

Opening Statement by Sponsor:

REP. MIKE JOPEK (D), HD 4, opened the hearing on **HB 330**, Enhance subdivision review criteria.

00:47:51

Proponents' Testimony:

00:58:09 Jacqueline Corday, Open Space Program Manager

01:06:49 Ann Hedges, Environmental Information Center

Opponents' Testimony:

01:09:26 Jim Kembel, Association of Land Surveyors

EXHIBIT (loh19a10)

01:11:46 Peggy Trenk, Association of Realtors

01:18:34 Ken Allen, Real Estate Developer from Missoula

01:20:21 John Prinkki, Montana Association of Counties

Informational Testimony: None

Questions from Committee Members and Responses:

01:23:15

Closing by Sponsor:

01:33:18

HEARING ON HB 233

Opening Statement by Sponsor:

REP. MICHAEL LANGE (R), HD 55, opened the hearing on **HB 233**, Revise building permit laws.

01:45:13

EXHIBIT (loh19a11)

Proponents' Testimony:

01:48:17 Jim Reno, Yellowstone County Commissioner

01:51:47 James Haar, General Contractor, High Tech Construction

01:59:46 Gary Forrester, Montana Contractor's Association

Opponents' Testimony:

02:00:57 Dave Nielsen, Attorney for City of Helena

02:07:55 Jim Kembel, American Institute of Architects

EXHIBIT (loh19a12)

02:09:43 Tim Burton, Helena City Manager
02:10:29 Jay Skoog, American Council of Engineering
02:11:03 Neil Poulsen, City of Bozeman

[EXHIBIT](#)(loh19a13)

Informational Testimony: None

Questions from Committee Members and Responses:

02:16:50

Closing by Sponsor:

02:45:18

EXECUTIVE ACTION ON HB 133

Motion: REP. BARRETT moved that HB 133 DO PASS.

Motion: REP. BARRETT moved that HB 133 BE AMENDED.

[EXHIBIT](#)(loh19a14)

Discussion:

02:47:36

Vote: Motion failed 4-14 by roll call vote with REPS. BARRETT, MACLAREN, MAEDJE, and OLSON voting aye. REP. DAVE MCALPIN voted no by proxy.

Motion: REP. NOENNIG moved that HB 133 BE AMENDED.

Discussion:

03:18:22

Vote: Motion failed 7-11 by roll call vote with REPS. BARRETT, HENDRICK, MACLAREN, MAEDJE, NOENNIG, OLSON, and STAHL voting aye. REP. DAVE MCALPIN voted no by proxy.

Motion: REP. BARRETT moved that HB 133 DO PASS.

Vote: Motion failed 3-15 by roll call vote with REPS. BARRETT, OLSON, and STAHL voting aye. REP. DAVE MCALPIN voted no by proxy.

Motion/Vote: REP. NOENNIG moved that, without objection, HB 133 BE TABLED AND THE VOTE REVERSED. There being no objection, the motion to table was considered carried 15-3 with REPS. BARRETT, OLSON, and STAHL voting no.

ADJOURNMENT

Adjournment: 6:40 P.M.

REP. MARK E. NOENNIG, Chairman

KYANNE KELLY, Secretary

MN/KK

Additional Exhibits:

EXHIBIT ([loh19aad0.PDF](#))